

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:
Jeffrey M. Jones,

Debtors

Case No.: 19-13219-JNP
Judge: JNP
Hearing Date(s): 2-23-2021 at 11:00 a.m.
Chapter: 13

Order Filed on February 23, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Recommended Local Form

☒ Followed

☐ Modified

ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: February 23, 2021


Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

Applicant: KeyBank, N.A.
Applicant's Counsel: Ronald S. Gellert
Debtor's Counsel: Joseph J. Rodgers
Property Involved ("Collateral"): 2012 Subaru Outback (VIN 4S4BRBCCXC1242384)
Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☐ The Debtor is overdue for _____ months, from _____ to _____.
- ☐ The Debtor is overdue for _____ payments at \$ _____ per month.
- ☐ The Debtor is assessed for _____ late charges at \$ _____ per month.
- ☒ Applicant acknowledges receipt of funds in the amount of \$ 600.00 received after the motion was filed.

Total Arrearages Due \$ 1,467.95.

2. Debtor must cure all post-petition arrearages, as follows:

- ☒ Immediate payment shall be made in the amount of \$ 867.95. Payment shall be made no later than February 19, 2021.
- ☐ Beginning on _____, regular monthly mortgage payments shall continue to be made in the amount of \$ _____.
- ☐ Beginning on _____, additional monthly cure payments shall be made in the amount of \$ _____ for _____ months.

☐ The amount of \$_____ shall be capitalized in the debtor's Chapter 13 plan. The debtor's monthly payment to the Chapter 13 Trustee is modified to be \$_____ per month.

3. Payments to the Secured Creditor shall be made to the following address(es):

☒ Immediate payment: same

☒ Regular monthly payment: same

☒ Monthly cure payment: same

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification of Default specifying the Debtor's failure to comply with this Order. At the time the Certification of Default is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☒ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☐ The Applicant is awarded attorneys fees of \$_____, and costs of \$_____.

The fees and costs are payable:

☐ through the Chapter 13 plan.

☐ to the Secured Creditor within _____ days.

☒ Attorneys' fees are not awarded.

*Consent to entry of
the above order:*

Barbara J. Snavely
Barbara J. Snavely, Esquire
Law Office of Joseph J. Rogers
Attorneys for Debtor Jeffrey Jones